

### **REMARKS/ARGUMENTS**

Claims 1-56 were rejected by the Examiner. Claims 17 – 20 have been canceled without prejudice. Claims 1 – 16 and 21 – 56 remain pending in this application. No new matter has been added. Applicants respectfully request reconsideration of the claims in view of the above amendments and the following remarks/arguments.

#### **Claim Rejections**

Claims 1 – 16 and 21 – 56 stand rejected under § 102(e) and § 103(a) over U.S. Patent 5,884,270 issued to Walker et al. (“Walker”) individually, or in combination with U.S. Patent 5,832,497 issued to Taylor (“Taylor”). The pending claims relate generally to systems and methods that allow a candidate to select or authorize various parties to access the candidate’s verified or authenticated personal information. It is important to note that the claimed systems and methods relate to candidate-controlled access to verified/authenticated candidate information as opposed to, for example, traditional employer-based access to verified/authenticated candidate information. Embodiments of the claimed invention provide various mechanisms by which the candidate can provide selective access to a record containing verified/authenticated personal information. Among other things, embodiments of the claimed invention may allow the candidate to approach potential employers not with a traditional, unsubstantiated resume that may contain unreliable or false information, but with a verified/authenticated resume that can be relied upon by the potential employer. Furthermore, embodiments of the claimed invention may allow the candidate to obtain verification/authentication of personal information at his or her own expense and then to selectively authorize access to the verified/authenticated personal information to one or more parties. Applicants respectfully submit that neither Walker nor Taylor disclose, teach, or suggest, alone or in combination, such candidate-controlled access to verified/authenticated candidate information.

Independent claim 1, depicted in Fig. 1, is an example method claim. It is directed to a method of providing access to a candidate’s verified personal background data. The components of the background data are placed in a data record, along with the corresponding verification data. A unique identifier is associated to the record and the identifier is communicated to the candidate, so that the candidate may selectively grant access to outside users. See page 5, lines

24 – 29. Outside users may access the data record only after the candidate permits such access. The verification process is depicted in Fig. 5A and Fig. 5B and described from page 9, line 14 to page 10, line 27. Among other things, such a method allows the candidate to supply verified background data to outside users, as opposed to, for example, supplying unverified background data for the outside user to verify.

The disclosures of Walker and Taylor do not anticipate claim 1 because they do not provide an identifier to the candidate who provides the personal background data and who in turn communicates the identifier to an employer in order to give the employer access to the verified data. Rather, an employer who wishes to verify the data under Walker or Taylor must do so another way. Walker requires an employer already in possession of a complete but unverified résumé to submit a request to the intermediary system to “verify the authenticity of the origin, authorship, and/or integrity of [résumé] data.” Walker, col. 17, lines 63 – 66. Walker’s system contacts a third party who may authenticate the data, but only after receiving a request that originates with the employer, not the candidate. Walker, col. 18, lines 8 – 16. Taylor does not address third-party authentication of data contained in a résumé. Instead, Taylor’s users are responsible for the accuracy of their own background data. See Taylor, col. 3, line 65 to col. 4, line 2. By contrast, the present invention calls for verifying a candidate’s background data with third parties and giving the candidate a ‘key’ to the results, namely the unique identifier. That way, a candidate may give multiple employers the identifier, allowing them access to the third-party verification results, without the need for the employers to independently request verification of the data. Thus, neither Walker nor Taylor anticipate claim 1, either alone or in combination.

The argument above applies analogously to the other independent method claims 26, 31, 39, and 44 directly, because of the similar requirements of those claims. The argument also applies to the independent system claims 16, 21, and 52, after substituting “system” for “method” throughout. The applicants respectfully submit that the independent claims 1, 16, 21, 26, 31, 39, 44, and 52 are all allowable over the cited references. Because claims in dependent form include all the limitations of their ancestor claims, the applicants submit that the claims that depend from these independent claims are also allowable over the cited references.

**Claim Objections**

The Examiner objected to claims 2 – 15, 22 – 25, 27 – 30, 32 – 38, 40 – 43, 45 – 51, and 53 – 56 because of alleged informalities. Specifically, the Examiner states that the word “A” appears to have been used in error at the beginning of the dependent claims instead of the word “The.” However, the only requirement for a dependent claim is that the claim “shall contain a reference to a claim previously set forth and then specify a further limitation of the subject matter claimed.” See 35 U.S.C. § 112, fourth paragraph; *see also* 37 C.F.R. § 1.75. Therefore, there is no requirement that a dependent claim begin with the word “the,” and acceptable forms may begin with either the word “a” or “the.” See, for example, MPEP 608.01(n)(A), which shows numerous examples of acceptable forms of multiple dependent claims all beginning with the word “A” (e.g., “Claim 5. A gadget according to claims 3 or 4, further comprising ---.”) Thus, these dependent claims are not being, and should not be, amended as suggested by the Examiner, and the applicants respectfully request that the claim objections be withdrawn.

All pending claims are believed allowable over the cited art. The application is therefore in condition to be allowed, and such action at the Examiner’s earliest convenience is respectfully solicited. The applicants believe that no extension of time is necessary, but if one is required please consider this paper a petition for extension. Please charge all fees and credit any overpayment related to this response to Deposit Account No. 19-4972. The applicants also request that the Examiner contact the applicants’ attorney, David E. Blau, if it will assist in processing this application through issuance.

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Respectfully submitted,

/ David E. Blau, #60,625 /

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